



Arizona Peace Officer Standards and Training Board

2643 East University Drive Phoenix, Arizona 85034-6914 Phone (602) 223-2514 Fax (602) 244-0477

NOTICE OF PUBLIC MEETING AND AGENDA

June 17, 2020

10:00 a.m.

Following the recommendations from the Center for Diseases Control and Prevention (CDC), to avoid gatherings of 10 or more people when feasible, as well as State Emergency Declaration 2020-36, Stay Healthy, Return Smarter, Return Stronger, physical attendance for this meeting will be limited to AZPOST Board members, necessary staff, agency heads requesting a petition for waiver and individuals or their attorneys who have a final action review. Some Board members, staff, and individuals or their attorneys who have a final action review, may attend electronically. The meeting will also be livestreamed and instructions for viewing will be posted on the AZPOST website.

Pursuant to the Americans with Disabilities Act (ADA), the Arizona Peace Officer Standards and Training Board endeavors to ensure the accessibility of its meetings to all persons with disabilities. Persons with a disability may request a reasonable accommodation, such as a sign language interpreter, by calling the AZPOST main number at (602) 223-2514. Requests should be made as early as possible to allow time to arrange the accommodation.

Upon a vote of the majority of a quorum, the Board may vote to go into Executive Session pursuant to A.R.S. §38-431.03(A)(3) for the purpose of discussion or consultation for legal advice with the attorney or attorneys of the public body regarding any item on this agenda. The chair may take items out of order.

- A. Call to Order and Pledge of Allegiance
- B. Introductions, Presentations and Announcements
- C. Executive Director's Report

The Board may receive updates on any of the following Report items; it may discuss, provide direction or ask questions of the Executive Director on any of these items. The order of the Report is at the discretion of the Executive Director and the Chairman and may be revisited at any time during the meeting:

- Update on Budget
- Update on Communications with Law Enforcement Associations, Groups and Agencies
- Update on Staff and Personnel Issues
- Legislative Update

- D. Review, Discussion and Possible Action on AZPOST Administrative Rules in Title 13 Public Safety Chapter 4 as listed in the Notice of Proposed Rulemaking (NPO).
- E. Review, Discussion and Possible Action on Proposed 2020/21 Fiscal Year Budget.
- F. Consent Agenda

The following items make up the Consent Agenda. These items will be considered for approval as a single action; unless a Board member or any other interested party wishes to remove an item to be discussed.

- 1. Approval of Minutes:
May 20, 2020, Board Meeting
- 2. Review, discussion and possible action on Ministerial Actions. The following ministerial actions have been taken by staff upon Board instruction. By approving these items, the Board adopts and ratifies those actions:
 - a. Certification Waivers. The following individuals have met the requirements of AZPOST Rule R13-4-110(D):

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| Tyler A. Ambrosia | Chandler Police Department |
| Stephanie Ann Kimosh | Chandler Police Department |
| Thomas M. Whittaker | Chandler Police Department |
| Brandon J. Sevenski | Gilbert Police Department |
| Dean S. Spencer | Mammoth Police Department |
| Kyle J. Garrity | Maricopa County Sheriff's Office |
| Robert G. Norby Jr. | Peoria Police Department |
| Oluwatosin J. Omotayo-Johnson | Peoria Police Department |
| Gavin D. Kundert | Scottsdale Police Department |
| Justin R. Sledge | Scottsdale Police Department |
| Jeffrey D. Garcia | Tombstone Marshal's Office |
| Nicholas Z. Nunes | AZ Department of Public Safety |
| Matthew A. Dolan | Gilbert Police Department |

- b. Consent Agreements for Voluntary Relinquishment/Denial of Peace Officer Certification for the following:

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|-----------------------|--------|-----------------------------------|
| Michael N. Cardinal | 19-137 | Bullhead City Police Department |
| Christopher J. Rodden | 19-197 | Yavapai County Sheriff's Office |
| Anthony M. Sammartino | 20-053 | Maricopa County Sheriff's Office |
| Matthew W. Schneider | 19-038 | Glendale Police Department |
| Justin J. Smith | 19-216 | Prescott Valley Police Department |
| Steven A. Flores | 20-020 | Phoenix Police Department |

- c. Training Audit Deficiencies. The following individuals are deficient in their required annual training. The Board shall restrict their certified status until this deficiency is corrected:

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|-----------------|------------------------------------------|
| Houston Aday | San Carlos Recreation and Wildlife |
| Emerson Baylish | San Carlos Recreation and Wildlife |
| Jerald Thompson | San Carlos Recreation and Wildlife |
| Daniel Moreno | South Tucson Department of Public Safety |
| Steven Nunez | South Tucson Department of Public Safety |
| Vincent Durand | Quechan Tribal Police Department |
| Wayne Amos | White Mountain Apache Rangers |

- G. Review, Discussion and Possible Action on a Douglas Police Department Petition for a waiver pursuant to A.A.C. R13-4-103(G) for failure to meet minimum qualifications for appointment under A.A.C. R13-4-105(A)(10) for Applicant Jesus Villa.
- H. Review, Discussion and Possible Action on a Douglas Police Department Petition for a waiver of disqualifying conduct pursuant to juvenile indiscretion under A.A.C. R13-4-105(D) and A.A.C. R13-4-105(C) for Applicant John S. Trujillo.
- I. Review, Discussion and Possible Action on a Hualapai Nation Police Department Petition for a waiver pursuant to A.A.C. R13-4-103(G) for failure to meet minimum qualifications for appointment under A.A.C. R13-4-105(A)(10) for Applicant Ty G. Atherton.
- J. Review, Discussion and Possible Action on an AZ Department of Public Safety Petition for a waiver pursuant to A.A.C. R13-4-103(G) of the seven year restriction from A.A.C. R13-4-105(A)(14) for Applicant Dallin R. Smith.

K. Final Action Cases – Review, Discussion and Possible Action

Accept or Reject the Motions for Reconsideration on the following cases:

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| 1. Wade O. Voeltz | 15-068 | Maricopa County Sheriff’s Office |
| 2. Scotty J. Caley | 19-002 | Quartzsite Police Department |

Accept, Reject, or Modify proposed Consent Agreement on the following case:

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| 3. Pedro A. Molera | 18-109 | Nogales Police Department |
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Accept, Reject, or Modify the Findings of Fact and Conclusions of Law and vote on appropriate disposition on the following cases:

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| 4. Benjamin J. Huddleston | 19-146 | AZ Department of Public Safety |
| 5. Paul E. Huskey | 19-052 | Salt River Police Department |

L. New Cases – Review, Discussion and Possible Action

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| 1. Daniel Carbajal | 19-233 | Page Police Department |
| 2. Cody J. Delafuente | 19-036 | Cottonwood Police Department |
| 3. Matthew S. Salyers | 19-220 | Glendale Police Department |
| 4. Edward T. Swan | 19-181 | AZ Department of Public Safety |
| 5. Matthew B. Woen | 20-018 | Yuma Police Department |

M. Future Agenda Items

N. Adjournment

A copy of the agenda provided to the Board members is available for public inspection, at least 24 hours prior to the meeting, at the Arizona Peace Officer Standards and Training Board office, 2643 East University Drive, Phoenix, AZ.

Dated: June 1, 2020

ARIZONA PEACE OFFICER STANDARDS AND TRAINING BOARD

By:



Matt Giordano, Executive Director